



November 8, 2006

**Subject: The Land Development Ordinance Committee**

The Land Development Ordinance Committee (LDOC) met Wednesday, November 8, 2006, at 4 p.m., in the second floor Seminar Room located at The Plaza, 100 W. Innes Street, to discuss rewriting Salisbury's ordinance code. In attendance were Jake Alexander, Karen Alexander, George Busby, Bill Burgin (Co-chair), John Casey, Steve Fisher, Mark Lewis (Co-chair), Brian Miller, Jeff Smith, Bill Wagoner, and Victor Wallace

**Absent**—Phil Conrad, Rodney Queen, Johnny Safrit, and Dee Dee Wright

**Staff Present** – Janet Gapen, Dan Mikkelson, Preston Mitchell, Diana Moghrabi, Joe Morris, David Phillips, Patrick Ritchie, and John Vest

**The meeting was called to order** with Mark Lewis (Co-chair) presiding. The minutes of the November 2, 2006, meeting were accepted as published.

**HOUSEKEEPING**

Joe Morris provided an updated schedule for future meetings. The next meeting is scheduled for Wednesday, November 15, from 4–6 p.m. in the Plaza Seminar room. It was decided that the committee would meet regularly Wednesdays at this same location.

**MAP CONVERSIONS**

Janet Gapen provided maps and a handout that listed zoning districts that are not direct zoning conversions under the new code.

Victor Wallace opened a discussion that he hoped Steve Fisher would be able to contribute to regarding the area at the intersection of Mahaley Avenue, W. Innes Street, and Statesville Boulevard. Staff wanted to discuss this, too. Victor believed that the southern side of Statesville Boulevard had more intensive uses and asked if it is appropriate to zone NMX from Brenner Avenue to Grants Creek. RMX is for higher density residential and support services for the residential. You probably would not be seeing much in the way of NMX zoning (northern side) in the new code. It would support a lower intensity restaurant. The committee was concerned

about an “AutoZone” type lighted sign next to a neighborhood. Buildings in NMX are typically small and detached (Southern side).

Staff will discuss the size of buildings in NMX commercial on page 2-17 at Monday’s meeting.

After much discussion, the committee voted to establish RMX on the northern side and NMX on the southern side.

**Change:**

Jake Alexander Blvd & Brenner Ave.		B1	RMX	CMX	Large single lot owned by Livingstone College located at intersection of major thoroughfares; currently vacant; LDOC reviewed and concurred 11/2/06.
Salisbury Village on Jake Alexander Blvd.	B7	HB	CMX	Located on a major thoroughfare; development was modeled as city’s first MU; uses conforming in either zone, but 5 Guys parking nonconforming in CMX; two lots left to develop; LDOC reviewed and concurred on 11/2/06.	

**Approved**

Jake Alexander Blvd. south of Mooresville Rd. (Leatherman dev.)	B1 w/ GDA overlay	RMX w/ GDA overlay	<del>HB</del> RMX w/ GDA overlay	Map committee recommended HB based on location along major thoroughfare in an area that is generally more suitable for intensive commercial uses. LDOC reviewed 11/02/06 and proposed direct conversion to RMX due to adjoining neighborhood.
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**Approved**

Janet Gapen will contact John Leatherman about his property.

Mark Lewis said that rezonings can be initiated by the property owner.

Park Avenue Plan begins with item number 20 and converts to CMX; this will reduce nonconformities. HB is inconsistent with the neighborhood plan—you lose the pedestrian quality and pick up adult establishments. Number 20 was left as submitted. Area #21 around the Mill in the Park Avenue Neighborhood converts to LI. Jeff Smith had concerns about industrial zoning leaving the city.

## CHAPTER SUMMARIES

Preston Mitchell will bring back “fencing” in the ordinance at the next meeting. Page 4-7 language was revised; Preston will tweak a little more. Reference in the last sentence in 4.8A—limit to DOT guardrail. There was discussion about guardrails fronting a public street. This could be added to a submittal checklist and dealt with in the Landscape Ordinance. (Strike 4-7)

Preston Mitchell presented a handout on the subject of assisted living facilities. He had done some research and presented a memo that outlines adult care homes, family care homes, and nursing homes. He will provide a map for group care facilities in Salisbury next meeting. The

definitions from the state are very detailed. No additional standards are really needed from the City of Salisbury. These uses will be separate on the use matrix: ALF, Nursing homes, group homes.

George Busby submitted comments on the chapters to staff; those formatting and grammar comments are being addressed by staff. There are some discussion items on Chapter 5 for next meeting.

The meeting was adjourned at 6:00 p.m.

DM